2046620556

Date: 28, Jul 1995, 5:16 PM

Subject: RE: LA Times Response

To: Han, Vic

LET US KNOW. I HAVE NO PROBLEM.

From: Han, Vic on Fri, Jul 28, 1995 4:05 PM
Subject: LA Times Response
To: Keane, Denise; Merlo, Ellen; Morgan, Jim
File(s): LA Response

I've enclosed a letter response to LA Times for use on Monday. The message below includes the fax we received from LA Times plus other procedures for final approval and clearance. We do not know as yet if this will be signed by USA or someone else. Wanted you to see it in case we went the USA route.

To: Logue, Mayada; Nicoli, David; Parrish, Steve; Woodward, Ellis
Cc: Moore, Mary Ellen
File(s): LA Response

After speaking with Tony in Bangkok last night, I've decided the best way to handle this inquiry is on paper. As a reminder, his letter follows.

I have some questions on an issue related to ETS.

Recently, the tobacco industry prevailed in a matter before the Office of Management and Budget, which was asked by the consulting/lobbying firm Multinational Business Services to rule on the validity of certain "E-codes" that pertain to causation of chronic disease.

The E-codes are part of a lexicon used by hospitals and physicians in completing medical forms for Medicare/Medicaid patients. As I understand it, the OMB decision directs the Health Care Financing Administration, a branch of HHS, not to implement a new E-code for second-hand smoke.

The OMB decision was dated 6/30. I'm sure that whoever tracks these things at Philip Morris has seen it.

My questions:

1. Are you satisfied with OMB's decision? Please comment on what the OMB has done.

2. Outwardly, at least, the E-code dispute seems like an arcane question that might not have a big impact on the tobacco industry regardless of outcome. Why was it worth the major effort that Multinational Business Services put into it?

He signs off.

I will get a hard copy to JT. Looking for comments, changes. Steve: do we have to run this through Tony in Delhi? Also, don't know who should sign. I could sign. Ellis could sign. USA could sign. In latter case, should we share this draft with Ellen or Denise since I've

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been beaten up about not getting them in on drafting phase when something goes out on USA letterhead and USA approvals (Ellen, Denise or Jim only).

Ellis: As ;you know, I'm out on jury duty starting next week. Daragan will be telling LA Times to expect something Monday. If I don't get everyone's responses (I think Mayada is out today), please follow through on Monday.

Media Inquiry for Han, Vic

To: Han, Vic; Kram, Caroline; Lenzi, Jack; Moore, Mary Ellen; Pellom, Wendy; Prager, Greg; Sorrells, John; Woodward, Ellis; York, Mike

Cc: Coughlin, Mary; Daragan, Karen; Firestone, Marc; Kiley, Debbie; Laufer, David; Martin, Maria; McCormick, Brendan; Rainey, Karen; Wilson, Christine

From: Colby, Dolly

Date: 28, Jul 1995, 5:23 PM

Reporter: Wade Lambert

Phone No. 212-416-3262

Media Outlet:
FW: Wall Street Journal/A.T.

Location: NYC

Topic: Kurzweil vs. PM

Deadline: 5 pm (flexible)

A.T. Coordinated with Mike to make sure Wade had the right court documents. Mike followed up with reporter since Conway was unavailable.

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To: Han, Vic
Cc: Moore, Mary Ellen; Woodward, Ellis
From: Colby, Dolly on Thu, Jul 27, 1995 3:48 PM
Media Outlet:FW: Wall Street Journal

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FYI--George Conway and Herb Wachtell are working on this case. Mike is calling George and will probably have George talk to Wade on background.

To: Firestone, Marc; WRA Communications
Cc: Wilson, Christine
From: Colby, Dolly on Thu, Jul 27, 1995 3:25 PM
Media Outlet:FW: Wall Street Journal

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This is a shareholders class action suit before Judge Mukasey in New York filed in May 1994 regarding the fact that the company should have disclosed more about nicotine. There's been a motion to dismiss pending. He has two questions 1) why should shareholder suit be thrown out and 2) is it possible the issues raised here could come up again if prosecutors pursue a securities law claim. He also said Wachtell is listed as our lawyer. I am beeping Mike.

To: Colby, Dolly; Han, Vic; Lenzi, Jack; Moore, Mary Ellen; Pellom, Wendy; Prager, Greg;

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Source: https://www.industrydocuments.ucsf.edu/docs/tsjx0000